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Docket No.: 221P127US01

Remarks

Claims 1-12 and 17-25 are pending in the subject application. Claims 1-4, 6, 7, 9, 10, 12, 17-20, and 22-25 have been rejected, and claims 5, 8, 11, and 21 have been withdrawn from consideration.

Claims 5, 8, 11, and 21 depend upon respective generic claims, and if the respective generic claims are allowed, claims 5, 8, 11, and 21 will be considered.

Claims 13-16 were previously canceled. Applicant may choose to file a divisional application including these claims.

Rejections under 35 U.S.C. 103(a)

Claims 1-4, 7, 9, 10, 17, 19, 20, and 23-25 have been rejected as being unpatentable over U.S. Patent 6,722,470 to Carson in view of U.S. Patent 6,192,613 to Lantz.

Carson discloses an anchorage system including one or more stanchions having a base with clamps and coordinating clamp bolts that grip a first edge of a flange and an extension bar that abuts a second edge of the flange to secure the stanchion to the flanges of an I-beam. For use with a concrete beam with looped rebars, rather than an I-beam, an adapter may be used. The adapter includes clips, clamps, or brackets that attach to the looped rebars. The adapter includes flanges similar to the flanges of an I-beam to which the stanchion is secured. The anchorage system of Carson includes multiple connections between the base of the stanchion and the flange of the I-beam or the adapter. Carson neither teaches nor suggests a single connection between the support member and the anchorage member as claimed. Because Carson discloses multiple connections between the base and the flange, Applicant respectfully submits that Carson teaches away from using a single connection as claimed.

Lantz discloses a shooting rest for supporting a firearm including a base and at least three adjustable legs. The legs are positioned on the ground. An anchoring system has an anchor disposed into the ground and attached to the base for securing the base to the ground and stabilizing the shooting rest while shooting.

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The Office Action states that Carson shows the claimed device with the exception of the ratcheting load binder having an elongated member with a connecting member. The Office Action also states that it would have been obvious to one of ordinary skill in the art to modify Carson to comprise a ratcheting member, an elongated member, and a connecting member as taught by Lantz for anchoring the device 20 to the loop 510.

Applicant respectfully submits that Carson neither teaches nor suggests an elongate member being a single connection between a support member and an anchor member. Rather, Carson discloses a base with clamps and coordinating clamp bolts that grip a first edge of a flange and an extension bar that abuts a second edge of the flange to secure the base to the flange of either an I-beam or an adapter. More specifically, the extending members 24a, 24b, and 24c are attached to the base 30, which includes clamps 40a and 40b and cooperating clamping bolts 44a and 44b that grip a first edge of a flange and an extension bar 50 with a clamping member 58 that grips a second edge of the flange. Carson discloses a stanchion that can be connected to either an I-beam flange or an adapter resembling an I-beam flange with three connections, the two clamps and the extension bar. There is no teaching or suggestion to eliminate the base, the extending members, and the extension bar to utilize the anchoring system taught by Lantz. Thus, there is no teaching or suggestion to use a single connection as claimed. Further, because Carson discloses three connections between the base and the flange, Carson teaches away from using a single connection as claimed.

Further, if the anchoring system of Lantz were used with the stanchion of Carson, the anchoring system could not be used with a flange as disclosed in Carson. The anchoring system of Lantz includes a securement member 132 that may be a cork screw, pin, or any other type of anchoring member which may be positioned and firmly held within the ground. Thus, the anchoring system of Lantz could not be pushed into the flange disclosed in Carson. Therefore, there is no motivation to combine these references as suggested by the Examiner.

Further, one of ordinary skill in the art would not look to a shooting rest as disclosed in Lantz when making fall protection equipment such as an anchorage device for a lifeline. The anchoring system of Lantz merely stabilizes the shooting rest while shooting and neither teaches

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nor suggests using the anchoring system for fall protection equipment. Applicant respectfully submits that the anchor 128 positioned and firmly held within the ground as disclosed in Lantz (column 4, lines 21-26) would not support the fall of a user operatively connected to the shooting rest. The force of the fall would pull the anchor 128 out of the ground. Therefore, one of ordinary skill in the art of anchorage devices for use with lifelines would not look to a shooting rest anchored to the ground as disclosed in Lantz. Lantz neither teaches nor suggests a support member operatively connected to a lifeline and, therefore, neither teaches nor suggests using an anchorage device for anchoring a support member operatively connected to a lifeline.

Therefore, claims 1-4, 7, 9, 10, 17, 19, 20, and 23-25 are not unpatentable over Carson in view of Lantz.

Claims 1-4, 7, 9, 10, 17-20, and 23-25 have been rejected as being unpatentable over U.S. Patent 4,942,943 to Flaherty in view of U.S. Patent 6,192,613 to Lantz.

Flaherty discloses a roofing safety device 10 including a vertical central support 20 secured to a rectangular foot 22, a brace 24 with a rectangular foot 30, and a pair of stabilizing struts 26, 28 with rectangular feet 32, 34, respectively. A safety block, including a cable, is operatively connected to the vertical central support 20. The feet 22, 30, 32, 34 are secured to the roof top to secure the safety device with multiple connections to the roof top. As stated in column 5, lines 14-17 "the struts 26, 28 may be secured to a wall or even to exceptionally steep rooftops, a feature not provided by the prior art." Thus, because each foot is secured to the roof top, Flaherty neither teaches nor suggests a single connection between the support member and the anchorage member as claimed. Applicant respectfully submits that Flaherty teaches away from using a single connection as claimed.

Therefore, claims 1-4, 7, 9, 10, 17-20, and 23-25 are not unpatentable over Flaherty in view of Lantz.

Claims 2, 12, and 22 have been rejected as being unpatentable over Carson or Flaherty and Lantz as applied to claims 1, 9, and 17 above in further view of U.S. Patent 6,142,488 to Orr.

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Claim 2 depends upon claim 1, claim 12 depends upon claim 10, and claim 22 depends upon claim 20. Because claims 1, 10, and 20 should be allowed, claims 2, 12, and 22 should also be allowed.

Favorable consideration of this Amendment is respectfully requested. The Examiner is welcome to contact the under-signed representative for the Applicant should the Examiner have any questions or should the Examiner like to discuss this matter further.

Respectfully submitted,

MATTHEW J. BLACKFORD

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By: Robin A. Sannes
Robin A. Sannes
Reg. No.: 45,070
IPLM Group, P.A.
P.O. Box 18455
Minneapolis, MN 55418
Telephone: (612) 331-7419

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